

An aerial photograph of a tropical landscape. The foreground shows a mix of green fields, some brownish soil, and a small cluster of buildings. The middle ground is dominated by a dense forest of palm trees. In the background, there are rolling hills and more forest under a bright sky.

VG AND TENURE CONFLICT

How can the Voluntary Guidelines on tenure be instrumental to the management, prevention and de-escalation of conflict

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Land, fisheries and forestry as dynamic assets



Conflict over use, management and control of a specific resource

States should
“recognize and
respect all legitimate
right holders and
their rights...
identify and
record... safeguard
and protect...
promote and
facilitate the
enjoyment (of these
rights)... provide
access to justice...
prevent tenure
disputes, violent
conflicts and
corrupti

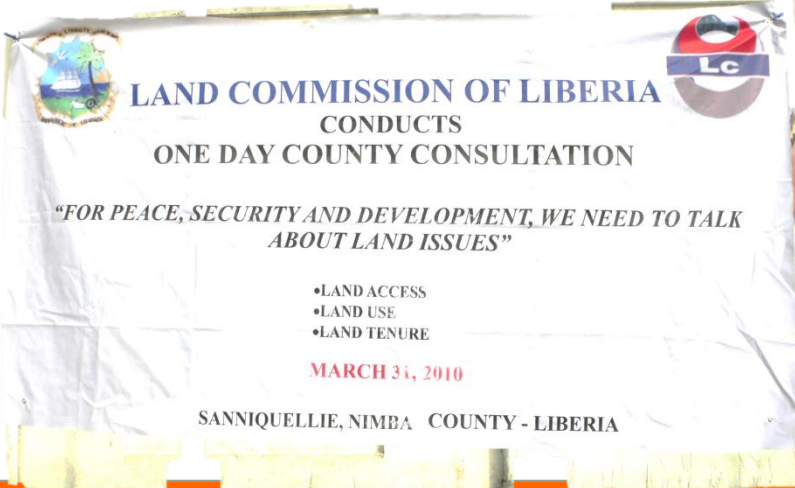


Context related
definition of
legitimate right



Conflict management, de-escalation and prevention

- Information and education on rights and responsibilities
- Fair, legitimate and transparent fora
- Inclusiveness
- Equal access



Impartial and competent judicial and administrative bodies exist

Timely, affordable, accessible to all and effective means of resolving disputes (including alternative)

Effective remedies are promptly enforced and a right to appeal is guaranteed

Specialized tribunals and
dedicated administrative
bodies

Alternative forms of
dispute resolution
especially at the local
level

Implementing specialized
agencies



Conflict
management
bodies



Risks and opportunities

Right-based integration of existing systems causes loss of legitimacy

Forum shopping, capacity, enforcement



System is perceived as fair and people understand it (system is self-sustained)

System allows to over-come gaps and contradictions between formal, customary and informal.



Thank you

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